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Viewing cable 06COLOMBO872, TOKYO CO-CHAIRS PRE-MEETINGS

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Reference ID	Created	Released	Classification	Origin
06COLOMBO872	2006-05-25 11:53	2011-08-30 01:44	CONFIDENTIAL	Embassy Colombo

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C O N F I D E N T I A L SECTION 01 OF 04 COLOMBO 000872

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SUBJECT: TOKYO CO-CHAIRS PRE-MEETINGS

Classified By: Ambassador Jeffrey J. Lunstead for reason 1.4 (d).

¶1. (C) Summary: GSL representatives admit that at least some elements of armed forces may be cooperating with irregular armed groups. Government is trying to crack down on this, and is also trying to develop a proposal for a political settlement. EU will likely designate LTTE as terrorist group on May 29 or 30, but there are still internal divisions on how to handle this issue, and this may affect discussions in Tokyo. Norwegian Special Envoy Hanssen-Bauer is pushing the GSL hard to examine its assumptions and is looking for new ways to get the parties to talk to each other. END SUMMARY

¶2. (U) Ambassador met May 24-25 with Peace Secretariat Head Palitha Kohona, Defense Secretary SIPDIS
Gotabaya Rajapaksa and Foreign Secretary Palihakkara to discuss the upcoming Tokyo Co-Chairs meeting. In addition, Co-Chairs Chiefs of Mission met May 24 with visiting Norwegian Special Envoy Jon Hanssen-Bauer, and Ambassador had follow-on meeting next day with Netherlands Ambassador Van Dijk.

¶3. (C) In all meetings, Ambassador began by noting the importance of the Tokyo meeting. The Co-Chairs had been formed in a different environment with a specific task--to monitor the parties' compliance with the Tokyo Declaration which linked development assistance with progress on the peace process. That task no longer existed, and the Co-Chairs should consider what their role should now be. They would discuss in Tokyo what their expectations were from both parties if they were to continue successfully. He noted that the US was developing further its proposal for two international groups to crack down on Tiger fundraising and weapons procurement.

Kohona: "Some Bad Things Happening"

¶4. (C) Peace Secretariat Head Palitha Kohona said that the GSL strongly supported the proposed initiatives on fundraising and weapons procurement, and he believed that Japan did also. Japanese Special Envoy Yasushi Akashi had told him that Japan wanted to modify the role of Norway as facilitator. Norway (and by extension the Co-Chairs) should be "neutral but not impartial." Ambassador said that in addition to stating that the Tigers needed to give up violence and enter the political process, the Co-Chairs would likely repeat the recent statements by PDAS Camp that the Government needed to find ways to address long-term Tamil grievances and to protect the rights of Tamils in the short-term. Kohona agreed that "some bad things are happening" which the Government needed to control. Some elements of the security forces, he said, might be colluding with Karuna and others.

¶5. (C) On the political front, Kohona said, he had just spent two days in a retreat with Hanssen-Bauer in Barcelona to go over the basics of the peace process. Hanssen-Bauer had pushed him hard, Kohona said, which was good. Regarding the Sri Lanka Monitoring Mission (SLMM), which has been very forthright recently in its statements, Kohona said that it was fair for the SLMM to criticize the GSL when it did something wrong, but it should

not equate the Government and the Tigers.

Gotabaya Rajapaksa: Indians Pushing Hard

¶16. (C) Defense Secretary Gotabaya Rajapaksa admitted to Ambassador that some elements of the armed forces might be colluding with Karuna, and that this had to stop. He said that the President was adamant on this point and had made it strongly to the service chiefs at a National Security Council meeting that same morning. Gotabaya said that Indian officials had pushed him hard during his recent visit to New Delhi. National Security Adviser Narayanan was very familiar with the issue, since he had spent "over 500 hours" with LTTE head Prabhakaran when Narayanan was working in RAW. Narayanan and others had recommended strongly that Sri Lanka adopt something like the Indian model of governance, which had defused India's own ethnic crises. The Indians also told him that the GSL had to curb abuses against Tamils, and had to offer the Tamils something positive to work towards.

Palihakkara: GSL Serious about Human Rights

¶17. (C) In a May 25 conversation with the Ambassador and DCM, Foreign Secretary H.G.M.S. Palihakkara said that President Rajapaksa is "very keen" in mounting serious investigations into possible security force human rights violations. To that end, Foreign Minister Mangala Samaraweera and Minister of Disaster Management and Human Rights Mahinda Samarasinghe would later on May 25 hold the first meeting of a revived inter-ministerial committee on human rights which would provide oversight of security force conduct. "We want to prevent security force misconduct while investigating any that has already taken place," Palihakkara said. There would be a standing working group under the committee, chaired by Samarasinghe, which would include the service commanders, Defense Secretary Gotabaya Rajapaksa, the Attorney General and others. At the same time, the President's Secretary, Lalith Wiratunga, would be meeting with the governor of the Northeast Province and UNHCR to deal with those who have been displaced by disturbances in the Trincomalee area. That situation, Palihakkara stated, is "still manageable" but needs to be handled carefully, he said.

¶18. (C) Looking longer term, Palihakkara agreed with the Ambassador that the GSL needs to take steps to spell out a political future for the country which would give a sense of belonging and security to Tamils and Muslims. To that end, the President has initiated a working group to put flesh on the bones of his presidential campaign commitment to "maximum devolution." Palihakkara commented that it would be important to not get caught up in labels like devolution or federalism. "We should label it after we've put it together."

¶19. (C) Palihakkara agreed with the Ambassador that the May 30 co-chairs meeting in Tokyo would be an important opportunity for the co-chairs to determine what useful role they could play given that their initial *raison d'être* really did not exist anymore. "New thinking is needed." Palihakkara commented that the "ancillary ideas" of forming working groups to crack down on money and weapons flows were welcomed by the government which looked forward to feeding information to the groups once they were formed. He said he hoped the co-chairs would come out strongly against the

current violence and discuss ways to lessen it, commenting that the cease-fire agreement is intended to mean "no violence not regulated violence."

¶10. (C) Palihakkara reiterated that the GSL remains committed, despite the current difficulties, to getting the Tigers "back to the table" not just to discuss the cease-fire agreement but also to talk about long-term solutions (which made a public presentation on "maximum devolution" all the more important). He thanked the Ambassador for Secretary Rice's response to Foreign Minister Samaraweera's letter on the all-party congress and commented that while it was easy to be dismissive of such exercises, the congress had been very important in getting the radical JVP to commit publicly to a number of steps.

Hanssen-Bauer: Looking for Ways Forward

¶11. (C) Co-Chair Chiefs of Mission (US, Japan, Norway, Netherlands representing EU Presidency, and EC) met with visiting Norwegian Special Envoy Jon Hanssen-Bauer evening of May 24. Hanssen-Bauer said that his Barcelona meeting with Kohona was intended to help the GSL think through its strategy, and to push the GSL on what it could offer for a political deal. Hanssen-Bauer would see President Rajapaksa on Friday (after visiting the Tigers in Kilinocchi on Thursday) and would try to take these ideas further then.

¶12. (C) Hanssen-Bauer said that as an interim confidence building measure, he was considering inviting the parties to come to Oslo to discuss the role of the SLMM, something they both seemed interested in. This was especially important in view of recent Tiger statements that the SLMM sea wing should no longer ride on Sri Lankan Navy vessels, and that land travel was now also dangerous.

¶13. (C) Hanssen-Bauer asked COM's what they thought should come out of the Tokyo meeting. There was general consensus that the Co-Chairs should state that they wanted to help the peace process but could only do so successfully if the parties were serious and took certain actions. The LTTE would need to give up violence and terrorism and enter the political process. The Government would need to show that it recognized Tamil grievances and was willing to take the dramatic political steps needed to address them. It would also need to ensure that Tamils were protected. Unexpectedly, Netherlands Ambassador Van Dijk said that a Co-Chairs statement should not mention "terrorism," especially since EU designation of LTTE as a terrorist group was liable to be announced simultaneously with Tokyo meeting on May 29 or 30. Van Dijk's position seemed to surprise everyone, and Ambassador strongly refuted it.

EU Inside Baseball

¶14. (C) Van Dijk called Ambassador May 25 and asked to get together to talk the issue through. Van Dijk (please protect) told Ambassador that there were still deep divisions within EU on this subject. France and Italy had objected to the listing on procedural grounds, because they thought they were being pushed into it by the US. When that objection was dealt with, the Nordics still objected on substantive grounds. They

insisted that a listing be accompanied by a statement which mentioned the failings of both the Government and the LTTE. He also said that EC Commissioner Ferrero-Waldner and her colleague Herve Jouanjean (who will represent the EC at Tokyo) had pushed for a lesser action than listing--some type of targeted sanctions--but had lost. As a result, Van Dijk predicted, Jouanjean could be difficult at Tokyo. Ambassador said he believed there was no way we could accept a Tokyo statement which did not mention the need for the Tigers to give up terrorism, and van Dijk eventually agreed there should be some way to do that.

COMMENT

¶15. Several things strike us from these meetings. For one, the GSL seems to have gotten the message that it must do something to prevent abuse of Tamils, and also to think seriously about what a long-term solution would look like. We were particularly struck by the turnaround in Gotabaya Rajapaksa. Previously he would strenuously deny any connection between the GSL and the Karuna group--now he admits it is probably occurring. We are favorably impressed by Hanssen-Bauer, who is bringing both imagination and structure to the peace process and the work of the Co-Chairs. It seems certain that the EU will designate the LTTE, but it is still in disarray internally. Van Dijk is excitable and not always accurate in his predictions, but we may have to work hard on the EU in Tokyo to make any statement meaningful. In the end, Kohona is right: we can and should criticize both sides, but we should not equate them.

LUNSTEAD